

Contentious Issues Regarding the Regional Water Quality Planning Project Identified at the DECEMBER 15, 2004 SHC Meeting

[The following are Contentious Issues with regard to the Regional Water Quality Protection Plan that were identified by the NEI Consulting Team, or by the Stakeholder Committee (SHC), at the December 15, 2004 SHC Meeting. The SHC members did not have the opportunity to comment on these identified contentious issues at the December 15, 2004 SHC meeting. It is requested that the SHC members review the contentious issues listed below, and provide their comments on these issues in writing, preferably via e-mail, to the Executive Director, the NEI Consulting Team, and fellow SHC members.]

Contentious Issues – Implementation*

❖ Role of the TCEQ

- Primary vs. Secondary
- Relation of TCEQ rules to local ordinances

❖ Entities - Existing or new

❖ Financial/Funding Issues

- Sustainable funding for O&M & enforcement (split between private/public & which “public”)
- Cost burdens for developers vs. public
- Long term financial assurance mechanisms

* - indicates these contentious issues were identified by the NEI Consulting Team and included in their presentation on the 2nd draft of the plan at the December 15, 2004 SHC Meeting, but these issues were not commented on by the SHC members.

Additional Contentious Issues – Identified by SHC Members**

- whether wastewater management actions focus on reuse or discharge
- adequacy of TCEQ rules for wastewater treatment
- construction site discharge
- technical capabilities of BMPs
- erosive flow management
- include “entitlements” under T.D.R.’s

** - indicates additional contentious issues that were identified, but not commented on, by Stakeholder Committee members at the December 15, 2004 SHC Meeting.

Abbreviations

BMPs – best management practices

O&M – operation and maintenance

TCEQ – Texas Commission on Environmental Quality

T.D.R. – transfer of development rights